men of his country still adhere to the opinions he then gave utterance to, — opinions founded in the very nature of things existing in that peculiar Eastern region. It is not by shaking such a complicated, but still necessary, political edifice as Hungary to the ground that freedom can be promoted. It is rather by raising up again those bulwarks of European secu rity which an encroaching autocracy has contrived to throw down through intrigue and brute force. Commonwealths like those of Hungary and the Danubian Principalities ought to join hands in such a work. To venture upon deadly strife with each other can only bring about for both of them the fate which has befallen unhappy Poland.

KARL BLIND.

ART. VII. — 1. *A History of the Intellectual Development of Europe.* By JOHN WILLIAM DRAPER, M. D., LL. D. New York. 1863.

2. *Ancient Law; its Connection with the Early History of Society, and its Relation to Modern Ideas.* By HENRY SUMNER MAINE. London. 1863.

EVERY attempt to discover the laws to which social changes conform must run great risk of being frustrated by the mere immensity of the mass of details which the investigator strives to arrange in orderly sequence. Seemingly numberless as are the phenomena dealt with by the physical sciences, they bear no proportion, either in multitude or in variety, to the facts upon which the historical inquirer must build his scientific theorems. Facts concerning man in his physical relations to soil, climate, food, and the configuration of the earth, blend with facts concerning the intellectual and moral relations of men to each other and to the aspects of nature by which they are surrounded, making up a problem of such manifold and multiform complexity, that it may well have long been deemed incapable of satisfactory solution. The fit subject of wonder is, indeed, not that we are as yet unable to arrive at accurate prevision

amid such a diversified throng of phenomena, but that, considering the meagreness of our knowledge in many other departments, we should have been able to detect any uniformity whatever in human affairs, and having detected it, to affiliate it upon trustworthy primordial principles.

In determining the laws of history, the ordinary inductive methods, so potent in chemistry and physics, are instruments of but little efficiency. The extreme heterogeneity of social phenomena is apt to make their employment very misleading. Many of the worst political fallacies now current have resulted from the perverse application of the methods of Agreement and Difference to cases where the composition of causes is so complex as to render hopeless all attempts at an inductive solution. In the science of history, the deductive method must be used, no less than in astronomy, though under different conditions and with different limitations. It is no less essential, in order to conduct our investigation securely to its final issue, that we should make extensive use of elimination. Minor perturbing elements must for a time be left out of consideration, just as the inequalities of motion resulting from the mutual attraction of the planets were at first passed over in the search for the general formula of gravitation. The discussion of endless minute historical details must be reserved until the law of social changes has been deduced from more general phenomena, and is ready for inductive verification. A law wide enough to form a basis for historical science must needs be eminently abstract, and can be profitably sought after only by contemplating the most general or most prominent characteristics of social changes. The prime requisite of the formula of which we are in quest is that it should accurately designate such changes under their leading aspect.

Now by far the most obvious characteristic common to a vast number of social changes is that they are changes from a worse to a better state of things, — that they constitute phases of progress. It is not asserted that human history has in all times and places been the history of progress; it is not denied that at various times and in many places it has been the history of retrogression; but attention is called to the fact — made trite by long familiarity, yet none the less obstinately misconceived

— that progress has been on the whole the most prominent feature of the history of a considerable and important portion of mankind. And it is to the scientific interpretation of this fact that the present article is devoted.

Though several passages in ancient literature express the opinion that the earliest men were little superior to brutes,* there is no reason for supposing that the idea of continuous progress ever entered into the social and political speculations of ancient philosophers.† Far from supposing the human race to have advanced in strength, virtue, and intelligence, they for the most part bewailed its constant degeneracy. Scarcely could two men of later times load upon a wagon the stones which Hektor and Diomedes hurled with ease at their antagonists; and even decrepit Nestor lightly quaffed from the goblet which the feebler hands of succeeding nations might vainly strive to stir from the table. Yet even this heroic race has degenerated since the days of Tydeus and Bellerophon; and in the iron age which follows, men are afflicted with grievous calamities, reaping just retribution for their mischievous knavery and profligacy. Hardly does it profit a man to be just;‡ wholesome contrition (Αἰδώς) has quit the earth; and, as a fit consummation, Zeus may shortly be expected to overwhelm all his unworthy creatures in common ruin.

Among the Stoics and the Roman jurisconsults, the golden age of popular belief was refined into a blissful state of nature,

* Æsch. Prom. 451–515; Eurip. Suppl. 201–215; Lucret. V. 923, *seq.*; Horat. Sat. I. iii. 99; Juvenal, XV. 151; Manil. I. 90–94.

† "Ancient literature gives few or no hints of a belief that the progress of society is necessarily from worse to better." (Maine, p. 74.) I do not recollect any passage where a belief in progress is clearly expressed, unless it be in Seneca, Nat. Quæst. VII. 25. "Veniet tempus quo ista quæ nunc latent, in lucem dies extrahat, et longioris aevi diligentia. . . . . Veniet tempus, quo posteri nostri tam aperta nos nescisse mirentur."

‡ Νῦν δὴ ἐγὼ μήτ' αὐτὸς ἐν ἀνθρώποισι δίκαιος
Εἴην' ἐμὸς υἱός. ἐπεὶ κακόν ἐστι δίκαιον
Ἔμμεναι εἰ μείζω γε δίκην ἀδικώτερος ἕξει
Ἀλλὰ τόδ' οὔπω ἔολπα τελεῖν Δία τερπικέραυνον.
— Hesiod, Opp. Di. 270.

"Damnosa quid non imminuit dies?
Aetas parentum, pejor avis, tulit
Nos nequiores, mox daturos
Progeniem vitiosiorem." — Horat., Carm. III. 6.

wherein manners were simpler, passions more under control, and legislation more equitable, than in the period known to history. Mr. Maine has admirably delineated the process by which, from the constantly felt want of a system of principles fit for settling disputes between Roman citizens and foreigners, there gradually arose in the Prætorian courts an equitable body of law founded upon customs common to all nations alike. That this process, even while being energetically carried on, should never have been correctly understood or interpreted as a phenomenon of moral improvement, shows in the most striking manner how foreign to ancient modes of thought was the conception of progress. Far from perceiving the real character of the noble juristic system steadily growing up under their own supervision, — daily attaining grander proportions as the grotesque and barbarous elements hallowed by local usage one by one were eliminated from the mass of equitable ideas which formed their common substratum, — the Prætors of the Republic and the great Antonine jurisconsults, under the influence of Stoic conceptions, supposed themselves to be merely restoring to their original integrity the disfigured and partially obliterated ordinances of a primeval state of nature. The state of faultless morality and unimpeachable equity which constituted the ideal goal of their labors, they mistook for the shadow of a real though unseen past.

The mighty sway exercised by the ideas of Roman jurisprudence over all departments of modern thought is nowhere more clearly to be discerned than in the subsequent history of this conception. The great writers who in the seventeenth century illustrated with exquisite beauty and clearness the doctrines of Public Law seem to have been completely saturated with the notion of a primitive natural code, fit for regulating international concerns, and for supplying everywhere the shortcomings of civil legislation, its degenerate offspring, whose worth must be uniformly rated according to the degree in which it approaches the perfection of its parent. The influence of this conception, so thoroughly incompatible with a consistent belief in progress, may be best appreciated by reflecting on the extent to which contemporary legal literature, whether embodied in expository treatises or in judicial decisions, is impregnated by

it. The appeals to "right reason" and "natural reason," which since Blackstone's time have filled so large a place in juristic dissertation, bear unequivocal marks of their origin. Somewhat less subtile, but equally notorious, has been the influence of the Roman theory upon social and historical speculation. The vulgar opinion that national decadence in general, and the decline of the Roman Empire in particular, may be ascribed to the prevalence of luxury, and the abandonment of barbarous simplicity, is a case in point. The wide-spread notion of a Social Compact traces its pedigree to the same remote source from which sprang the Ethics of Epictetus and the juridical theories of Puffendorf.* And the extravagant doctrines of Rousseau, advocating so far as practicable a return to the primitive happy state,

"When wild in woods the noble savage ran,"

were merely distorted caricatures of the prevalent opinions of antiquity respecting the more or less hopeless deterioration of the human race.

According to Mr. Maine, "the tendency to look not to the past but to the future for types of perfection was brought into the world by Christianity"; and his statement, with some qualifications, may be accepted as profoundly true. Of the three ancient nations, whose lines of moral, intellectual, and religious development by their convergence resulted in Christianity, the Greeks and Romans, as we have seen, embraced with one consent the melancholy doctrine of human retrogression. Far more hopeful was the view of life taken by the eminent thinkers and writers of Palestine. Among the Jews, it is true, traditions of a long-lost state of primitive innocence and happiness were more or less current, as is seen in the myth of the garden of Eden and man's expulsion therefrom. But this particular tradition bears upon its face strong indications of a Persian origin,† and seems to have been entirely ignored by Jewish writers, until the late age of the apostles. Be

* See the discussion of the doctrine in Austin, Prov. Jurisp. 331 – 371; Kant. Rechtslehre, Th. II. Abschn. i.; Stahl, Phil. des Rechts, II. 142; and Maine, Chap. IV.

† Bohlen's Genesis, II. 57 – 59; Colenso, §§ 1065, 1087 – 1090.

this as it may, Hebrew prophecy, from beginning to end, is inspired by exulting faith in a future state of glory destined to eclipse and render of no account all that had preceded it. The Messianic kingdom might indeed in its general features be copied from the romantic reign of David, but it was to be a copy immeasurably transcending its original pattern. These expectations of future glory were, however, reserved for Jews alone. For all other nations the fate in store was irretrievable ruin. They were to be dashed in pieces like a potter's vessel. But on passing into Christian hands, the Messianic theory assumed a different aspect. It was metamorphosed into the doctrine of Christ's millennial reign upon the earth, in the blessings of which all nations were equally to share, on complying with certain prescribed conditions. Thus, for the first time, there appears a well-defined belief in the possible advance of all mankind to future perfection; thus do we find presented, albeit in crude and meagre outline, the rudiments of the modern idea of progress. The Christian theory of human perfectibility, ever preserving a subtle antagonism to the classic theory of deterioration, has in modern times assumed grand and imposing proportions, and, allying itself with the conclusions of scientific investigation, it is now rapidly driving its opponent from the field. Antiquated conceptions of a past state of nature must abdicate in favor of modern conceptions of a future state of equilibrium. Civil legislation must no longer be judged by its conformity to the rules of "natural reason," but by its power of fulfilling the requirements of advancing humanity. And as for the noble savage, the results of historic research may be summed up in Dickens's emphatic declaration that he is "a prodigious nuisance and an enormous superstition," — that "his virtues are a fable, his happiness a delusion, his nobility nonsense."

The illustrious thinkers of the last century, who endeavored to study human history from a scientific point of view, were unconsciously led into an error from which contemporary writers have not as yet entirely freed themselves. The followers of Turgot and Condorcet were prone to regard progress as something necessary and universal. They attempted to account for it, much as Lamarck tried to explain organic develop-

ment, as the continuous and ubiquitous manifestation of an inherent tendency toward perfection. Baseless as such a theory obviously is, it has nevertheless infected subsequent literature to a surprising extent. Thus Dr. Whately, in his edition of Archbishop King's Discourses, asserts that "civilization is the natural state of man, since he has evidently a natural tendency towards it." Upon which it has been aptly remarked that, "by a parity of reasoning, old age is the natural state of man, since he has evidently a natural tendency towards it."* Mr. Adam labors under a similar confusion of ideas, when he finds fault with Sir G. C. Lewis for upholding the doctrine of progress while admitting that certain races have never advanced. In taking this course, the great scholar exhibited his usual good sense and caution; and, as he was ever wont to do, kept closely to the facts of the case. Yet for this Mr. Adam accuses him of virtually dividing mankind into two differently constituted races, of which the one possesses, while the other lacks, the inherent tendency toward perfection! † Closely allied to this error is that which assumes that the theory of progression requires us to suppose that nowhere at any time has there been a temporary retrogression. Thus, Mr. Goldwin Smith, in his "Lectures on the Study of History," holds that "positivists" cannot preserve consistency without admitting that the reign of Charles II. was an advance upon the Cromwellian Protectorate. Mr. Mansel, in his "Limits of Religious Thought," still more preposterously declares that on the theory of progression we ought to regard the polytheism of imperial Rome as a higher form of religion than the earlier Hebrew worship of Jehovah. While thinkers of the opposite school, in order to save their cherished doctrine, inconsiderately accept dilemmas of this sort, and strive to coax the annals of the past into affirming the uninterrupted advance of civilization.

I cite these examples to show how vaguely the doctrine of progress has hitherto been apprehended. The fallacy of supposing civilization to have proceeded serially, or uniformly, or in consequence of any universal tendency, is nearly akin to the fallacy of classifying the animal kingdom in a series of as-

* The Progress of Nations (London, 1861), p. 45.

† Theories of History, p. 87.

cending groups, — a fruitful source of delusion, which it was Cuvier's great merit to have steadily avoided. The theological habit of viewing progressiveness as a divine gift to man,* and the metaphysical habit of regarding it as a necessary attribute of humanity, are equally unsound and equally fraught with error. Until more accurate conceptions are acquired, no secure advance can be made toward discerning the true order of social changes. Far from being necessary and universal, progress has been in an eminent degree contingent and partial. Its career has been frequently interrupted by periods of stagnation or declension, and, wherever it has gone on, it has been forwarded not by any inherent tendency, but by a concurrence of favorable conditions. Again, without going quite so far as to say, with Mr. Maine, that "the stationary condition of the human race is the rule, the progressive the exception," † we must still be careful to remember that the communities which have attained to a conspicuous degree of civilization constitute a numerical minority of mankind. Contemporaneously with the rapidly advancing nations of Europe exist the sluggish nations of Asia, and the almost stationary tribes of Africa and Polynesia. So irregular, indeed, has been the march of civilization, that most stages of progress may be made the subject of ocular investigation at the present day.

In the science of history, therefore, old "means not old in chronology, but in structure: that is most archaic which lies nearest to the beginning of human progress considered as a development, and that is most modern which is farthest removed from that beginning." ‡ Let us, then, pluck from our minds every twig and rootlet of the insidious tendency to associate lateness in time with completeness in development.

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* "It is impossible for mere savages to civilize themselves. . . . . Consequently man must at some period have received the rudiments of civilization from a superhuman instructor." (Whately's Rhetoric, p. 94.) A statement not altogether compatible with the one just quoted from the same author in the text.

† Ancient Law, p. 24. In Tylor's Early History of Mankind (p. 190) may be found some grounds for believing that even the lowest human races have advanced in civilization, though to an almost inappreciable extent. (Cf. Lewis, Methods of Observation in Politics, Vol. I. p. 302.)

‡ M'Lennan, Primitive Marriage, p. 9.

Spain under Philip III. was probably less civilized than it had been under Abderahman III.

In view of these considerations, but little need be said in criticism of the doctrine of cyclical progression,* which was formerly asserted with more or less clearness by several philosophers, but which owes its thorough elaboration to Vico. At present this theory is likely to find but few advocates; and its clandestine influence upon speculation is fortunately insignificant. We have never known the beginning or the end of a historic cycle, and have no inductive warrant for believing that we are now traversing one; while the analogies drawn from the solar system, which probably first suggested the theory, are sufficiently disposed of by the fact that even the planetary motions were not cyclical so long as they were progressing toward mobile equilibrium.

Fortified by the foregoing reflections, we are now in a condition to examine a very remarkable theory respecting the constitution and development of society, which, though long in a rudimentary form familiar to the minds of scholars, has only within the present century exerted a notable influence. I refer to the doctrine of "the social organism," of which it will be convenient to begin by scrutinizing the earliest form,—that, namely, in which the whole human race, with respect to its development, is likened to an individual man.† The conception is an old one. Plato, in his "Republic," instituted an elaborate comparison between the chief divisions of society and the faculties of the human mind; and Hobbes, long after him, endeavored to trace with still greater precision a resemblance between society and the human body, expending in the effort much laudable but bootless ingenuity. More recently, Rotteck, in the introduction to his *Allgemeine Geschichte*, has defined universal history as the biography of mankind. The same conception frequently appears in the great work of

* "Jam redit et virgo, redeunt Saturnia regna,
Alter erit tum Tiphys, et altera quæ vehat Argo
Delectos heroas; erunt quoque altera bella,
Atque iterum ad Trojam magnus mittetur Achilles." — Virg. Ecl. IV.

† The doctrine is admirably stated in the famous remark of Pascal, — "Toute la succession des hommes, pendant la longue suite des siècles, doit etre considérée comme un seul homme, qui subsiste toujours, et qui apprend continuellement."

Comte, and the part played by collective humanity in his later speculations is well known. But no previous writer has pushed the analogy between individual and social development so far as Dr. Draper. It is the central idea which serves, though not always efficiently, to bind together the immense heterogeneous mass of facts accumulated in his "History of the Intellectual Development of Europe." Premising that "man is the archetype of society, and that individual development is the model of social progress," Dr. Draper proceeds to divide the history of civilization into five distinct periods, namely, the ages of Credulity, Inquiry, Faith, Reason, and Decrepitude; answering respectively to the periods of Infancy, Childhood, Youth, Manhood, and Old Age, in the individual*. It soon appears, however, that collective humanity corresponds not to one individual, but to several; for Grecian civilization having passed through all these epochs, and having expired, modern civilization entered upon its career, in which it has by this time attained the estate of manhood. Roman history is treated as a digression, and its position in the scale of development is not clearly indicated. The intellectual development of the ancient Jews, so essential an element in the history of civilization, is entirely passed over. And as to Egypt and the great Asiatic communities, we are led to infer that, after running through the earlier stages of national life, they had, by the dawn of authentic history, arrived at old age.

The mere statement of this arrangement is doubtless enough to reveal its purely arbitrary character. But the importance of the subject will justify a closer examination. Let us note the chronological limits assigned by Dr. Draper to his successive epochs. The Greek age of credulity, ending with Thales, is followed by the age of inquiry, which closes with the Sophists. The age of faith extends from Sokrates to Karneades; the age of reason from Aristotle to Claudius Ptolemæus; the age of decrepitude from Philo to the closing of the Attic schools by Justinian. Forbearing to criticise the earlier parts of this scheme, it may be remarked that the age of faith is an entirely superfluous interpolation. In so far as the labors of Sokrates resulted in the application of dialectics to logical and ethnical

* Draper, pp. 1, 11, 15.

philosophy, the period in question was an age of inquiry; in so far as they resulted in the establishment of an improved scientific method, it was an age of reason. It is indeed difficult to see how Pyrrho and the New Academy can be regarded as the culminating products of an age of faith; or how Sokrates, the "originator of the most powerful scientific impulse which the Greek mind ever underwent," * can be said to have ushered in such a period.† It may likewise be asked, In what respect does an age of faith differ from an age of credulity? If by faith we mean the attitude assumed by thoroughly religious minds in contemplating the universe under its unknowable aspect, then an *age* of faith has not yet been reached, and, instead of corresponding to the youth of mankind, it would answer to its fullest maturity. The only other correct definition of faith is that which makes it synonymous with credulity. And whichever of the two we adopt, Dr. Draper's classification must equally be pronounced a failure.

In his arrangement of the epochs of European history, there is a still more striking anomaly. The age of credulity is not distinctly marked. The age of inquiry embraces the period of the formation of Christian doctrine, ending with the capture of Rome by Alaric. The age of faith extends from the foundation of imperial Constantinople to the Renaissance. Thus it will be noticed that the first five Christian centuries are assigned at

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* Grote, History of Greece, Vol. VIII., Preface.

† Dr. Draper's whole account of Greek philosophy is strangely inaccurate; but no part of it betrays so much carelessness as his treatment of Sokrates. He neither understands his relation to the Sophists nor his attitude toward physical investigation, quietly ignoring all that great scholars, like Mr. Grote, have written on the subject. His treatment of Bacon is equally perverse, consisting chiefly of wholesale abuse directed against the great master of inductive philosophy because he did not profit by the discoveries of Copernicus and Gilbert. If great men were to be measured by their shortcomings instead of their achievements, they might all have to step from their pedestals. Leibnitz rejected the law of gravitation; Laplace heaped contumely on the theories of Fresnel; Comte eschewed the results of psychologic research; Harvey contradicted Aselli's discovery of the lacteals; and how often has Bichat's unlucky definition of life been quoted in derision of one of the greatest thinkers and most consummate observers the world has ever seen. In Bacon's day there were grave difficulties attending the Copernican theory, which were first solved by Newton, half a century later. If it is a mark of genius readily to accept new discoveries, it is no less a mark of wisdom to be dissatisfied with imperfect evidence. (See Powell, Order of Nature, 65; and Laplace, Essai sur les Probabilités, 252.)

once to the European ages of inquiry and faith, and to the Greek ages of reason and decrepitude. Now, who were the Europeans who are represented as emerging at that time from intellectual childhood into intellectual youth? They were for the most part the very Greeks who, by the same philosophical indications, are said to have been passing from manhood into old age. The same influx of Oriental upon Hellenic thought is judged to be at once an index of senile decay and of youthful vigor. Can anything more clearly show the arbitrary character of the whole arrangement? Christianity was as much a product of ancient thought as Neo-Platonism. Porphyry and Proklos were no whit more Hellenic than Clement and Origen. It was the advent of the German tribes which introduced the modern state of things; and the closing ages of antiquity cannot be rightly called either decrepit or immature. The elaboration of the Christian system was their absorbing work; and Christianity was in nowise the offspring of undeveloped intelligence. It comprised whatever there was of greatest practical efficiency in Hebrew theosophy, in Greek dialectic, and in Roman jurisprudence; and all this diversified material it fashioned into the enduring mould upon which the features of modern society were destined to be modelled. Symptoms of the childhood of society would more judiciously be sought for among the barbarian followers of Odoacer and Clovis; and the degenerate continuation of ancient life might perhaps be assigned to the Byzantine empire, which lingered through the Middle Ages, neither adding to the past achievements of the Grecian prime, nor taking part in the energetic movements going on by its side, until its profitless existence was terminated by the sharp scymitar of the Mussulman.

The history of the Arabs, when carefully studied, yields to Dr. Draper's theory no better support. There is no evidence that the period of faith ushered in by Mohammed was preceded by anything which could be called an age of inquiry. The century of glorious religious and military activity which followed the death of the Prophet undoubtedly culminated in a brilliant age of reason, which, long surviving the political decay of the Arabian empire, was only extinguished by the arrival of brute force in the shape of half-civilized Spaniards and bar-

barous Turks. Herein lies the difficulty of assigning to Arabian civilization an age of decrepitude. From political considerations alone, that age may be said to have commenced in the East with the accession of Motassem (A. D. 838), and in the West one hundred and fifty years later, with the death of the hagib Almanzor. Yet the most illustrious scientific achievements of the Arabs took place long after this. The great names of Averroes, Arzachel, Geber, Alhazen, Algazzali, and Avicenna, are all comprised within the eleventh century and the first half of the twelfth. The dreary epoch of Almoravide supremacy was at the same time an epoch of active intellectual progress.

For the eminent rank which he assigns to Arabic civilization, and for calling attention to the innumerable ways, hitherto not sufficiently recognized, in which it has stimulated the subsequent development of mankind, Dr. Draper is entitled to receive signal praise. But so much cannot be said for the odd disposition exhibited throughout his work, not only to refer the best part of Greek culture to an Egyptian source,* but uniformly to exalt the non-European civilizations at the expense of the European. This tendency has an obvious connection with his opinion that the great Asiatic nations passed in remote antiquity through the earlier stages of collective life, and arrived long ago at a stationary but vigorous old age. History, however, does not afford the requisite data for enabling us to reason upon the early state of Asia with much certainty. Neither Chinese, Hindus, Assyrians, nor Egyptians seem ever to have possessed the art of insuring authenticity in their records; and if we apply to the accounts of these ancient nations the rigorous canons of criticism laid down by Lewis and Grote, we shall come to the conclusion that we really know but little about them. But it will be well to note that the extremely rude and barbarous structure of the Chinese language is decidedly at war with the theory that the Chinese people have at any time been notably progressive; and the most cursory perusal

* The extravagant theory of a profound science possessed by the Egyptian priesthood from a remote antiquity, and imparted to itinerant Greek philosophers, has been utterly destroyed by Sir G. C. Lewis, in his learned work on the "Astronomy of the Ancients."

of the writings of Confucius strengthens the philological inference that China, far from having reached an advanced stage of development, has been irrevocably fixed at a very low point. The nation whose greatest literary production is the "Sse-Chou" may perhaps be lingering in stunted infancy; it is certainly not enjoying a green old age. While with regard to Egypt and Hindustan, as well as Assyria, it may be said that the colossal monuments which have adorned those countries since prehistoric times bear witness to the former prevalence of a barbaric despotism totally incompatible with social mobility, and therefore with well-sustained progress.* The sculptures upon these monuments, moreover, betoken a very undeveloped condition of the artistic faculties. Space permitting, it would be easy to show that the caste-system of Hindustan has resulted from the crystallization of family relations peculiar to a quite infantine state of society.† And the social phenomena of Egypt, so far as they are known, have similar implications.

Not to dwell too long upon details of this sort, it may be observed that the hypothesis of old age is altogether inadequate to explain many striking phenomena of national decline. Marked evidences of a falling off in civilization have been found among the Tunguz, the Kalmucks, and some North American tribes, as well as in South Africa; ‡ and no one will contend that, in the case of these archaically modelled communities, decline can be pronounced equivalent to senility. I do not attach much weight to the current opinion which ascribes the declension of higher communities to their conquest and absorption by less cultivated races; though the conquest of mediæval Russia by the Mongols may perhaps be cited in its support. For when a civilized nation is thus compelled to succumb to barbarians, it is usually owing to the presence of vital defects in its internal structure, which may safely be presumed to indicate spontaneous decline. Greece could not have been absorbed by Macedon, Rome would not have yielded to the Teutonic assault, the Spanish Moors would not have lost their empire, had not domestic decay preceded and invited for-

* "Ancient Egypt may be considered as a great *latifundium*, or plantation, cultivated by the entire population as the king's slaves." — Lewis, Astr. Anc., p. 435.

† M'Lennan, Primitive Marriage, p. 255.

‡ Tylor, Early History of Mankind, pp. 184, 185.

eign violence. But in neither of these three typical cases can the growing weakness be interpreted as an index of political old age. The Greeks were conquered because they had never attained political stability, though if Athens had been victorious in the Peloponnesian war they might have done so. Instead of gradually uniting to form an integral nation, their numerous civic communities had by mutual repulsion continually weakened each other. But the unsocial spirit of autonomy, to which this result was due, was at its maximum in the earliest period of authentic Grecian history, and cannot therefore be considered a symptom of old age. The fatal defects in Roman civilization were the draining away of the rural population of Italy for military purposes, and the consequent expansion of slave labor; the lack of a representative system of government, which, with territorial enlargement, rendered necessary an imperial despotism; and the ignorance of political economy which allowed C. Gracchus to establish a maximum price for corn, and which consigned the administration of the provincial revenues to the rapacity of private speculators. Moorish civilization perished, because it had no municipal, aristocratic, or ecclesiastic bodies interposed between the caliph and his equally enslaved subjects. None of these flaws in social organization have any special connection with overripe senility. They belong to the earlier rather than to the latter epochs of national life. And I believe that history, if narrowly scrutinized, will yield no support whatever to the statement that nations grow old and die.

Dr. Draper's theory that social life repeats the phases of individual life will not, therefore, bear a critical examination. Fragmentary as are the considerations which have been adduced, they still suffice to prove that his division of history into epochs is thoroughly fanciful, and they imply moreover that every similar division, sustained though it be by numerous facts, must surely be overthrown by other facts which are equally essential. Dr. Draper's arrangement is perhaps as good as any other which could be framed with equal minuteness; but all such attempts must ever be impracticable, because they rest upon an unproved and unprovable assumption. Against the assimilation of the social to the human organism may be urged two insurmountable objections. In the first

place, a social aggregate has no definite form. It has no symmetry, either spherical, radial, or bilateral. It has not even the specific unsymmetry which characterizes the mollusks. Fluctuating and irregular to the last degree in its external shape, society might more fitly be compared to a polypdom than to anything higher in the scale. In the second place, the living units of society "do not and cannot lose individual consciousness," while "the community as a whole has no corporate consciousness." "The corporate life must here be subservient to the lives of the parts; instead of the lives of the parts being subservient to the corporate life." * Of these distinctions, the second is the more important, but both are fundamental. Owing to the Protean changes undergone by society in its figure, it has been impossible for Dr. Draper clearly to determine the number of social biographies of which past history consists. Yet either the whole human race must, on his theory, be likened to one individual, — as was done by Pascal, — or its separate communities must be likened to several individuals. In the first case, we have an individual, of which some parts develop, while others do not; and in the second case, we have a company of individuals of whom, while some have attained various stages of maturity, others have lingered in perpetual infancy. With these last — the stationary savage tribes — Dr. Draper's theory cannot even pretend to deal. Their history presents not even a superficial resemblance to individual life. The human child either dies or grows to manhood. Seeds kept for centuries in an Egyptian sepulchre may flourish when exposed to sunlight, but with man such a suspension of development is out of the question.†

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* Spencer's Essays, 2d series, p. 154.

† Viewed as a formula for intellectual development alone, the slight amount of truth contained in Dr. Draper's theory has been much more accurately enunciated by Comte, in his well-known doctrine of the three stages of mental progress. That the human mind advances from credulity through inquiry to knowledge is a marked instance, and probably the only one, of the alleged parallelism between the individual and the race. This kind of progression, together with a vast number of other striking conceptions, is expressed in Comte's statement that human thought has passed from the theological, through the metaphysical, into the positive stage. To these three periods Dr. Draper's ages of credulity, inquiry, and reason may be said roughly to correspond; though the latter, far more than the former, partake of the nature of chronological epochs, and have accordingly a curtailed applicability and a diminished value.

But though Dr. Draper's theory does not express the truth, it nevertheless contains an approximation to the truth. A society cannot indeed be compared to a man, but it may still be treated as an organism. And the laws of social evolution will have been to a great extent determined, if they can be proved to be identical with the laws of organic evolution. The law according to which progress takes place in the animal and vegetable worlds, discovered by Von Baer, has been extended to the phenomena of human society by Herbert Spencer. A few illustrations of the general law of organic evolution will assist the reader in understanding the special laws next to be stated.

The researches of Harvey on generation established the truth that every animal has at some period of its existence consisted simply of a structureless and homogeneous germ. Whether this germ is detached from the parent organism at each generation, as in all the higher animals, or only at intervals of several generations, as in the *Aphides*, or plant-lice, matters not to the general argument. In every case the primitive state of an animal is a state of almost complete homogeneity. The germ-cell of a lion, for instance, possesses no obvious characteristic whereby it can be distinguished from the germ-cell of a horse or a dog. Moreover each part of it is as nearly as possible like every other part, in texture, in chemical composition, in temperature, and in specific gravity. Here, therefore, in two ways it is seen that homogeneity is the parent of heterogeneity. In the first place, all animal germs are homogeneous with respect to each other, while the animals developed from them present all kinds and degrees of diversity; and, in the second place, each germ is homogeneous with regard to itself, while the creature developed from it is extremely heterogeneous. The successive differentiations and integrations by which this change is brought about may be found described in any modern work on organic development, and need here be but briefly sketched. The first differentiation is that between the outer coating of the cell on the one hand, and its interior contents on the other hand. The outer coating is then differentiated into two layers, the outer layer being destined to become the nervo-muscular system, the inner layer to produce

the digestive apparatus. Between these two, by a further differentiation, arises the rudiment of the circulatory system. Then are successively differentiated from the alimentary canal the liver, stomach, and various secreting glands, until the once homogeneous intestine becomes very complex. Along with this, a parallel process is going on in the outer layer: the nervous system, at first appearing as a mere groove upon the surface of the germ, finally exhibits an almost endless heterogeneity. First, there is the difference between white and gray tissue; then there are the differences between the cerebrum, the cerebellum, the medulla oblongata, the spinal cord, and the sympathetic system, each of which parts, moreover, is extremely heterogeneous in itself; and then there are the innumerable differences entailed by the highly complicated connections established between one nervous centre and another, by the inextricable crossings, interlacings, inosculations, and entanglements of different sets of nerves with each other, and by the circumstance that some nerves are distributed upon muscles, others upon glands, and others upon ganglia. These will suffice as examples of differentiation. Then, as cases of integration, may be cited the union of all the bile-cells, which are one after another differentiated from the surface of the alimentary canal, into one distinct organ, the liver; and also the union of the anterior vertebræ to form the skull. It should be noted that integration is just as essential a part of the whole process as differentiation. If the latter alone took place, we should have simply a chaotic medley of organs and tissues. Both operations are requisite to produce a system of organs capable of working in concert. And if either process goes on alone, in any part of the body, disease, and often death, is the result. Cancers, *lupi exedentes*, and malignant tumors are merely vague differentiations, which, never becoming integrated in harmony with the rest of the organism, end by maiming and finally destroying it. To give a full list of the differentiations which take place in the course of the evolution of a single individual would be to write the entire history of the animal organism. This was done by Von Baer; and whoever will take the trouble to read his *Entwickelungsgeschichte* will have the truth thrust upon him at every page that organic evolution is a

change from homogeneity to heterogeneity. To Mr. Spencer must be assigned the honor of having demonstrated that integration, or the change from indefiniteness to definiteness of structure, is an equally vital part of the process.

Now the advance from indefinite homogeneity to definite heterogeneity in structure and function, which constitutes organic development, has been found to be equally the chief characteristic of social progress. On considering primitive societies, we find them affected by no causes of heterogeneity, except those resulting from the establishment of the various family relationships. As Mr. Maine has shown, in early times the family and not the individual was the social unit. In the absence of anything like national or even civic organization, each family chief was a monarch in miniature, uniting in his own person the functions of king, priest, judge, and parliament; yet he was no less a digger and hewer than his subject children, wives, and brethren. Commercially, it is needless to state, all primitive communities are homogeneous. In any barbarous tribe the number of different employments is very limited, and such as there are admit of being undertaken indiscriminately by any one. Every man is his own butcher and baker, his own tailor and carpenter, his own smith, and his own weapon-maker. Now the progress of such a society toward a civilized condition begins with the differentiation and integration of productive occupations. That each specialization of labor entails increased efficiency of production, which reacting brings out still greater specialization, is known to the tyro in political economy. Nor is it less obvious that, with the advance of civilization, labor has been steadily increasing in heterogeneity, not only with regard to its division among different sets of laborers, but also with regard to its processes, and even its instruments. The distinguishing characteristic of modern machinery, as compared with the rude tools of the Middle Ages or the clumsy apparatus of the ancients, is its heterogeneity. The contrast between the steam-engine of to-day and the pulleys, screws, and levers of a thousand years ago assures us that the growing complexity of the objects which labor aims at is paralleled by the growing complexity of the modes of attaining them. Turning to government, we see that by differentiation

in the primeval community some families acquired supreme power, while others sank, though in different degrees, to the rank of subjects. The integration of allied families into tribes, and of adjacent tribes into nations, as well as that kind of integration exhibited at a later date in the closely knit diplomatic interrelations of different countries, are marked steps in social progress. Next may be mentioned the differentiation of the governing power into the civil and the ecclesiastical; while by the side of these ceremonial government grows up insensibly as a third power, regulating the minor details of social intercourse none the less potently because not embodied in statutes and edicts. Comparing the priests and augurs of antiquity with the dignitaries of the mediæval Church, the much greater heterogeneity of the latter system becomes manifest. Civil government likewise has become differentiated into executive, legislative, and judicial. Executive government has been divided into many branches, and diversely in different nations. A comparison of the Athenian popular government with the representative systems of the present day shows that the legislative function has no more than any of the others preserved its original homogeneity. While the contrast between the *Aula Regis* of the Norman kings and the courts of common law, equity, and admiralty, — county courts, queen's courts, State courts, and Federal courts, — which are lineally descended from it, tells us the same story concerning the judicial power. Nor should it be forgotten that the steady expansion of legal systems, to meet the exigencies which civilization renders daily more complex, is an advance from homogeneity to heterogeneity.

Not only is the general law of organic development thus illustrated in the internal progress of all nations, it is also conspicuously exemplified in the divergent courses pursued by many communities which have started from a common origin. The Germanic tribes, which in the fifth and sixth centuries acquired control over Roman Europe, were nearly homogeneous with respect to each other. The description of the Germans, left by Tacitus, would doubtless have applied indiscriminately to Goths, Saxons, Franks, and Lombards. None of them had advanced far beyond the primitive patriarchal system of government, nor had any of them experienced much industrial

differentiation; and so there was but little scope left them for the display of social unlikenesses. Even so late as the twelfth century, the interior structure of each great European community was, except in minor points of detail, very similar to that of all the others. The feudal system, chivalry, the crusading spirit, scholasticism, monasticism, serfdom, baronial isolation, private war, ecclesiastical supremacy, — these were the striking features of society at that time, in England as well as in Spain, in France as well as in Italy. But in our day the heterogeneity is notable. The so-called Anglo-Saxon nations are differentiated from all the rest by their political individualism; but the free organization of America differs widely also from the free organization of England. Absolutism, on the other hand, is not the same thing in Austria that it is in France, nor is Catholicism the same thing in France that it is in Spain; while the free Protestantism of Prussia bears little resemblance to the narrow Protestantism of Scotland and Sweden.

Whether the human race, ethnologically considered, has ever presented a close approach to homogeneity, is perhaps uncertain. For our present purpose, however, it is immaterial whether the various races of mankind are descended from one primitive stock or from several primitive stocks. It is enough to show that where there has been marked social progress there has also been marked ethnic differentiation. The widely spread tribes of unprogressive American Indians, now so rapidly disappearing, have retained to the end their ancient physical, intellectual, and moral homogeneity. But in the descendants of the primitive Indo-Europeans, from the flabby and pursy Hindu to the wiry and long-limbed Kentuckian, may be seen the immense heterogeneity entailed by long-continued differences of social organization and of physical environment. They present numberless unlikenesses of size, strength, complexion, feature, of anatomical conformation, of moral susceptibility, and of intellectual capacity. Still further illustration is to be found in the languages spoken by these Aryan nations. Eight families of languages, containing each from half a dozen to a score of mutually unintelligible dialects, are descended from the common mother tongue spoken by our Aryan ancestors before they had left the neighborhood of the Hindu Kush. The development

of the Semitic languages from a single parent tongue furnishes a parallel example. But this is far from being the whole of the case, for a careful study of the structure of language in itself shows that its growth takes place by differentiation and integration. I have elsewhere* collected some evidence of this; proving, among other things, that integration takes place in the progressive coalescence of roots with their terminations, as well as in the concentration of syllabic sounds, and in the increasing logical coherence of clauses; while the generation of dialects, the rise of parts of speech, the growth of widely divergent words from a common root, as well as the growth of widely divergent languages from a common stock, were shown to be prominent instances of differentiation.

But, by a still greater sweep of generalization, Mr. Spencer has likewise included in Von Baer's formula the changes of inorganic nature, having traced the development which it describes throughout a vast number of phenomena, both telluric and cosmic.† Thus, by reason of its very comprehensiveness, the law of universal evolution can no longer supply the precise kind of information we desire regarding historic phenomena. It is the law not only of social changes but of all other changes. It utters no truth concerning human development which is not true of all development. Though it is the ultimate law of history, it is silent respecting the differential characteristic by which a historic event is distinguished from a physical event. The ultimate and general formula needs to be supplemented by one that is derivative and special; which shall describe organic evolution in terms inapplicable to inorganic phenomena; which shall be, in short, a comprehensive definition of life. This additional step was taken by Mr. Spencer, in 1855. In his "Principles of Psychology," published in that year, is to be found the first statement of that "proximate definition of life," which contains by implication the law of organic as distinguished from inorganic progress.‡

* "The Evolution of Language," North American Review, October, 1863.

† First Principles (2d ed.), pp. 308–396.

‡ As a formula for social progress, it had already been foreshadowed, though probably without full consciousness of its entire significance, in Mr. Spencer's Social Statics, published four years earlier.

According to this exhaustive definition, life — and intelligence likewise, as the highest known manifestation of life — consists in the continuous establishment of relations within the organism in correspondence with relations already existing in the environment. The degree of life is high or low according as the correspondence between internal and external relations is complex or simple, extensive or limited, complete or partial, perfect or imperfect. The lowest forms of life respond only to the simpler and more homogeneous changes which affect the whole of their surrounding medium. The relations established within a plant answer only to the presence or absence of a certain quantity of light and heat, and to the chemical and hygrometric relations existing in the enveloping atmosphere and subjacent soil. In a zoöphyte, besides general relations similar to these there is established a special relation in correspondence with the external existence of certain mechanical irritants, so that its tentacles contract on being touched. The increased number of correspondences, as we ascend the animal scale, may be seen by contrasting the polyp, which can simply distinguish between soluble and insoluble matters, or between opacity and translucence in its environment, with the keen-scented bloodhound and the far-sighted vulture. And the increase of complexity may be appreciated by comparing the motions respectively gone through by the polyp on the one hand, and by the dog or vulture on the other, while securing and disposing of its prey. The advance to higher forms of life consists in the orderly establishment of internal relations of sequence answering to external relations of coexistence and sequence, that are continually more heterogeneous, more remote in space and in time, and at once more general and more special; until at last we reach civilized man, whose intelligence responds to every variety of external stimulus, whose most ordinary needs are supplied by apparatus of amazing complexity, and whose mental sequences are often determined by circumstances as distant as the Milky Way, and as ancient as the birth of the solar system.

The lower forms of life respond to the changes going on about them only in an imperfect and general way. A tree, for instance, meeting by changes within itself none but physical

and chemical changes without, exhibits life in a very simple form. We habitually regard it as less alive than a polyp, because the polyp, by displaying contractility and nascent sensitiveness, responds to a greater variety of external stimuli. Yet the zoöphyte, possessing no specialized organs of sense, can oppose but one sort of action to many diverse kinds of impression. Phenomena so different as those of light and heat, sound and mechanical vibration, can affect it in but one or two ways, — by causing it to move, or by slightly altering its chemical condition. Here let it be noticed that the modes of response to outer relations are far less heterogeneous than those relations themselves. Passing now to civilized man, at the other end of the animal scale, we find a state of things exactly the reverse. To each kind of external stimulus there are many possible modes of response. Not only, for example, does the human organism sharply distinguish between variations which affect the eye and those which affect the ear; not only do eye and ear, which are themselves organs of amazing complexity, discern an endless number of differing tones and hues, as well as a great variety of intensities and qualities; but each particular manifestation of sound or of light is capable of awakening in the organism very different actions according to circumstances. Tennyson's traveller, who, walking at nightfall in a strange land, hears the moaning of a distant sea,

> "And knows not if it be thunder, or a sound
> Of rocks thrown down, or one deep cry
> Of great wild beasts,"

will adopt a course of action more or less in conformity with his environing relations, according to the degree of his sagacity and the extent of his experience. Streaks of light and strata of cloud in the horizon will lead the practised mariner and the unskilled passenger to different conclusions. A cartoon of Raphael or a symphony of Beethoven will excite different emotions in an artist and in a person of little sensibility. And from the swinging of a cathedral lamp a philosopher will draw inferences which have escaped the attention or baffled the penetration of thousands of uncultivated beholders. Thus, with civilized man, present external stimuli are surpassed in heterogeneity by their internal effects.

Note also that as the organism advances the environment itself increases in extent and diversity. The environment of an oyster covers but a few yards of beach or of water, and comprises but few favorable or hostile influences. The physical environment of a modern European extends over a great part of the earth's surface, and his mental environment is scarcely limited in time or space. His welfare is not unfrequently affected by accidents occurring at the antipodes, while his plans for the coming year are often shaped with conscious or unconscious reference to events which happened centuries ago.

Thus we are led almost imperceptibly to look upon Mr. Spencer's definition of life as furnishing the key to the phe nomena of history. Scarcely is it possible, in illustrating that definition, to avoid a continual reference to the facts of collective as well as to those of individual life. Indeed, since the history of a community is made up of the acts of its individual members, a formula sufficiently abstract might be expected to be capable of including both in one expression. History resembles biology, not because in each a progress is traced from infancy to old age, but because both record the advance from incompleteness to completeness of correspondence achieved alike by organisms as a whole and by societies. The progress of society, like that of organisms, is, throughout, a process of adaptation. If we contemplate material civilization under its widest aspect, we discover its legitimate aim to be the attainment and maintenance of an equilibrium between the wants of men and the outward means of satisfying them. And while approaching this goal, society is ever acquiring in its economic structure both greater heterogeneity and greater specialization. Agriculture, manufactures, commerce, legislation, the acts of the ruler, the judge, and the physician, have since ancient times grown immeasurably multiform, both in their processes and appliances. And here it is to be carefully noted that this specialization has resulted in the greatly increased ability of society to adapt itself to the emergencies by which it is ever beset. The history of scientific progress is in like manner the history of an advance toward complete correspondence between our mental conceptions and outward reali-

ties. Truth, which is the end of all honest and successful research, is attained when subjective relations are perfectly adjusted to objective relations. And what can be the consummation of moral progress but the thorough adaptation of the desires of each individual to the requirements arising from the desires of all neighboring individuals? Thus the phenomena of social and of organic progress are seen to correspond to a degree not contemplated by those thinkers who first instituted the comparison between them. The resemblances here brought to light are far more deep-seated than those which Dr. Draper and others have endeavored to deduce from a mere collation of epochs. The dominant characteristics of all life are those in which social and individual life agree.

Let us now glance at one or two subordinate truths, which will greatly facilitate the comprehension of the general theory. First, from the twofold circumstance that life is high according as the organism is heterogeneous, and also according as it is adjusted to surrounding conditions, may be derived the corollary that heterogeneity in the environment is one of the chief determining causes of social progress. The environment of a society comprises all the circumstances, adjacent or remote, to which the society may be in any way obliged to conform its actions. It comprises not only the climate of the country, its soil, its flora and fauna, its perpendicular elevation, its relation to mountain-chains, the length of its coast-line, the character of its scenery, and its geographical position with respect to other countries; but it includes also the ideas, feelings, customs, and observances of past times, so far as they are preserved by literature, tradition, or monuments; as well as foreign contemporary manners and opinions, so far as they are known and regarded by the community in question. Premising this, it will be seen that, owing to the political isolation of ancient communities, the heterogeneity of their environments must have been trifling. Holding but little intercourse with each other, and accommodating their deeds and opinions mostly to the conditions existing at home, their progress was usually feeble and halting. And for the same reason, their modes of life and their mental development were far more deeply impressed with the characteristics of surrounding nature

than is the case in modern times. Herein is contained whatever of truth is conveyed in Mr. Buckle's statement, that in Europe man has been more powerful than nature, while out of Europe nature has been more powerful than man. The contrast is not between Europe and the rest of the world, but between the isolated civilizations of antiquity and the integrated civilization of modern times. Owing to the enormous heterogeneity of the environment to which modern nations are forced to adjust themselves, progress in later ages has been far more rapid and far more stable than of old. The physical well-being of an ancient Greek was not enhanced by an invention made in China, nor could his philosophy derive useful hints from theories propounded in India. But in these days scarcely anything can happen in one part of our planet which does not speedily affect every other part. That the rapid and permanent character of modern progress is in great measure due to this circumstance will be denied by no one. And thus is explained the wonderful civilizing effect of various events which have from time to time brought together distant sections of mankind; of which it will be sufficient merely to name the campaigns of Alexander, the spread of Roman dominion, the Arabian conquests, the Crusades, and the voyages of Columbus, Magellan, and De Gama.

Now "the law which governs the changes in organic beings is such that the lower their place in a graduated scale, or the simpler their structure, the more persistent are they in form and organization. . . . . In whatever manner the changes have been brought about, ... the rate of change has been greater where the grade of organization is higher."* And this fact Mr. Darwin interprets as resulting from "the more complex relations of the higher beings to their organic and inorganic conditions of life." Comparing the fact and its explanation with the historical generalization above given, it will be seen that we have here a new point of community between social life and organic life in general.

Secondly, observe that the living beings lowest in the scale are nothing but simple cells, as witness the *Protococcus* and the *Rhizopoda*. In the second volume of his "Principles of Biol-

* Lyell, Antiquity of Man, pp. 441, 442.

ogy," Mr. Spencer has shown that progress in morphological composition, both in the animal and vegetable kingdoms, consists to a certain extent of the union of these primeval cells into aggregates of higher and higher orders. Note also that the coalescence of adjacent parts performing like functions, such as we see in the crab when contrasted with the milliped, is a leading feature in organic development; for this process, increasing the specialization of the organism, thus steadily facilitates its adaptation to the environment. In the study of social evolution, we are met by quite similar phenomena. Let us consider what is implied by the conclusions to which Mr. Maine has arrived in his admirable treatise on Ancient Law by an elaborate inquiry into the early ideas of property, contract, and testamentary succession, and into primitive criminal legislation: "Society in ancient times was not what it is assumed to be at present, a collection of *individuals*. In fact, and in the view of the men who composed it, it was *an aggregation of families*. The contrast may be most forcibly expressed by saying that the *unit* of an ancient society was the family, of a modern society the individual. We must be prepared to find in ancient law all the consequences of this difference." * Evidences of this state of things are to be detected in the internal structure of all the Aryan communities.† Recently, Mr. M'Lennan has revealed a still more archaic condition of humanity, in which not even the family, properly speaking, existed.‡ But passing over this state, — in which the social units might be aptly compared to those lowest Rhizopods which have scarcely any individuality whatever, — attention is called to the fact that primitive families, like unicellular organisms, are aggregates of the first order. The family government excluded not only individual independence, but also state supremacy. Vestiges of a time when there were no aggregations of men more extensive than the family, and when there was no sovereign authority except that exercised by the

* Ancient Law, p. 126.

† Witness Roman gentes, Greek phratries, Celtic Clans, Hindu and Slavonic village-communities; and for the Teutons, see Tac. Germ. VII.; Caes. B. G. VI. 22, 23.

‡ Primitive Marriage, p. 229.

head of the family, may be found in every part of the world.* At this period, social organization is but one step removed from absolute and ferocious anarchy. "Mistrust, jealousy, secret ambushes, and implacable vengeances" characterize the mutual relations of these social aggregates of the first order. Hostility is the rule, and peace the exception. The repulsive forces are stronger and the cohesive forces weaker than at any subsequent period. The sympathetic feelings, whereby man is chiefly distinguished from the beasts are as yet unawakened; and the selfish desires which tend to maintain savage isolation are unchecked save by family affection, the most instinctive and originally the least generous of civilizing emotions.

The expansion of families into tribes and their coalescence into civic communities illustrates the formation of social aggregates of the second order. For a long time these higher aggregates retain conspicuous traces of their mode of composition, as in Greece and Rome, until increasing heterogeneity obliterates the original lines of demarcation; while new divisions spring up, resulting from the integration of like parts, as is seen in the guilds of mediæval Europe, and still better in the localization of industries which marks the present time.

The advance from the civic or rural † community to the nation — an aggregate of the third order — is best exemplified in the history of France, which, from a disorderly collection of independent baronies, has passed by well-defined transitions into a perfectly integral empire. The attainment of this stage is a cardinal event in social life, and an indispensable preliminary to a career of permanent progress. As hinted above, the premature overthrow of the Hellenic political system is mainly, if not solely, to be attributed to its very incomplete integration. An aggregate of the national type was in process of being formed by the extensive coalescence of maritime cities under the leadership of Athens, when the Peloponnesian war supervened, indicating the superiority of selfish autonomy, and showing by its

* Volney's View of the United States, p. 397; Phillipp on Jurisprudence, p. 207; C. Comte, Législation, Liv. III. c. 28; Arist., Eth. Nic. VIII. 14; Grote, H. G. III. 48–69; Gibbon (Paris ed.), III. 243; Vico, Scienza Nuova, Opere, Tom. IV. pp. 23, 35, 40.

† A rural community may be either an incipient civic community or a modification of the tribe.

result that the civilizing spirit of nationality was as yet too feeble to prevail.

It was first under the Roman dominion that national aggregation and the feeling of national solidarity were developed to something like completeness. By absorbing nearly all the petty communities then existing, and by gradually extending to their members the privileges of citizenship, the Roman Empire succeeded in dealing to the passion for autonomy a blow from which it has never recovered; while the enormous extent of the Empire, and its ethnic heterogeneity, imparted to the national spirit thus invoked a cosmopolitan character destined afterwards to be of great service to civilization. The influence of these circumstances upon the subsequent attitude of Christianity cannot be too strongly insisted upon. No human mind could have even conceived, much less have carried into execution, the idea of a universal religion, if the antique state of social isolation had not previously been brought to a close by universal empire. If Christianity had appeared four centuries earlier than it did, it would, like Buddhism, have assumed the garb of a local religious reformation. Or if it could have aimed at anything higher than this, its preaching would have fallen upon ears not ready to receive it. All the Oriental enthusiasm, all the Hellenic subtilty of Paul, could have effected nothing, had he visited Athens in the days of Plato and Diogenes. But the cosmopolitan element in Roman civilization was just that which Christianity most readily assimilated. From this happy concurrence of circumstances, there was formed upon the ruins of Paganism that religious organization which alone of all churches that have existed has earned the glorious name of Catholic. Disgusted at her high-handed proceedings in later times, historians have too frequently forgotten that the Roman Church, by co-ordinating the most vigorous and progressive elements of ancient life, has given to modern civilization both its ubiquity and its permanence. Had the Church perished along with the Empire, amid the general wreck of ancient institutions, it is difficult to see how European history could have been anything else than a repetition of Grecian history, save only in the extent of its geographical range. Whoever is disposed to doubt so emphatic an assertion will do well, not only to con-

sider the immeasurable inferiority of the Scandinavian religions, compared with early Christianity, but likewise duly to ponder the fact that the German conquerors of Rome had not advanced beyond the stage of tribal organization. On their aggregation into rural and civic bodies, the autonomous spirit would have acquired an ascendancy which it would have taken another more fortunate Athenian federation, or another absorbing Roman domination, thoroughly to destroy. Even as it was, it required all the immense power of the Church, unflinchingly exercised through many generations, to prevent European society from disintegrating into a mere collection of mutually repelling tribal communities. But the Church not only preserved the social results of Roman dominion, by hastening the consolidation of each embryonic nationality; it also, by its peculiar position as common arbiter between the different states, contributed to the formation of a new social aggregate of the highest order. The modern system of independent nationalities held in virtual federation — not by international codes, but by the possession of guiding principles of conduct more or less heartily reverenced by all — is the work of the Roman Church. Here, finally, we have reached a system whose structure bears in the highest degree the marks of permanence. It is sustained by the ever-deepening sentiments of cosmopolitan philanthropy and universal justice, — the most cohesive of social forces, as the spirit of local selfishness was the most disruptive.

Thus, throughout, we find the development of society corresponding in a remarkable degree to the development of organisms as a whole. By the special comparisons which have been instituted, the general theory of social evolution is illustrated while it is confirmed. As far as the inquiry has gone, — and it might be carried much further, — the claims of Mr. Spencer's law of organic life to be considered the law of history are thoroughly vindicated. As far as humanity is a manifestation of collective life, the law of its progress may be said to be determined. But to render the interpretation coextensive with the phenomena, another consideration must be brought forward. Our law of history, as it now stands, covers alike the phenomena of social and of organic life; and to it the differ-

ential element must be added, by virtue of which the one class of phenomena is distinguished from the other.

In the ancient family, as delineated by Mr. Maine, the separate existence of the individuals was almost submerged and lost in the corporate existence of the aggregate. Personal freedom was entirely unrecognized. The doctrine that each person has the exclusive right to be the arbiter of his own destiny, subject to no meddling interference from without, found no place on the statute books of ancient lawgivers. To family duties all individual rights were subjected. By a tie, religious no less than political, the members of the family were all held in allegiance to its oldest male representative. The father might expose his son in infancy, and when grown up might sell him as a slave, or put him to death for disobedience. And the wife was to an equal extent in the power of her husband, to whom she legally stood in the relation of a daughter, so that marriage was but the exchange of one form of servitude for another. No transfer of property was valid, unless the persons conducting it swore in the name of some ancestor, — dead ages ago, it might be; for so absolute was the authority of the *paterfamilias* that it could not be conceived of as departing from him at death, but must be exercised by him, through the medium of prescriptive ceremonial, over whole generations to come. Nothing, in short, was regulated by contract, but everything was determined by status.* And this is the fact which irretrievably demolishes the theory of a primitive social compact, advocated by Hobbes and Rousseau. The prevalence of this state of things, moreover, in the despotic empires of the East, is proof conclusive that those nations are nothing but immense tribes, or aggregates of the first order; and thus the theory of the overripe character of Oriental civilization meets its doom.

With the rise of higher aggregates, such as states, civic or imperial, this sinking of the individual in the corporate existence still for some time continued. The rights and duties of the individual were still unrecognized, save in so far as they followed from the status in which he happened to be placed. In

* "Status est qualitas cujus ratione homines diverso jure utuntur. . . . . Alio jure utitur liber homo; alio servus; alio civis; alio peregrinus." Heineccii Recitationes, Lib. I. tit. 3.

republican Rome, and in the Hellenic communities, the welfare of the citizen was universally postponed to the welfare of the state. But circumstances too complicated to be here detailed, of which the chief symptom was the increasing importance assigned by Roman jurisprudence to contracts, resulted, at an advanced period of the empire, in the more or less complete recognition of individual rights and obligations. On the rise of the feudal system, the relations of vassal to suzerain were, through the influence of Roman conceptions, extensively regulated by contract; and it is in this respect that the feudal institutions are most widely distinguished "from the unadulterated usages of primitive races." * It was, I believe, mainly owing to this that the integration of feudal sovereignties was accompanied by the enlargement of individual liberty to a much greater extent than the integration of ancient gentes and phratries. The Roman Church also aided in promoting the freedom of individuals, as well as in facilitating the consolidation of states. By the strict enforcement of celibacy, it maintained in the midst of hereditary aristocracy a comparatively democratic organization, where advancement usually depended upon moral excellence or intellectual ability. And preserving, by the same admirable institution, its independence of feudal patronage, it was often enabled successfully to interpose between the tyranny of kings and the helplessness of subjects. The development of industry, crossing in various ways the antique divisions of society, has contributed to the same result; until, in modern times, the primitive mode of organization is almost entirely effaced, leaving perhaps no other vestige than the legal disqualifications of women. Individual rights and obligations, from being nothing, have come to be all in all.

It will thus be seen that the very same process, which has resulted in the formation of social aggregates of a higher and higher order, has also resulted in the more and more complete subordination of the requirements of the aggregate to the requirements of the individual. And be it further noticed, that the sentiment of universal philanthropy and universal justice, which maintains the stability of the highest social aggregation, maintains also to the fullest extent the independence of its in-

* Maine, p. 365.

dividual members; while the selfishness, which in early times prevented the existence of any higher organization than the family, was also incompatible with individual freedom. This is the exact reverse of the state of things which we find in organic evolution. In organic development, individual life is more and more submerged in corporate life. In social development, corporate life is more and more subordinated to individual life. The highest organic life is that in which the units have the least possible freedom. The highest social life is that in which the units have the greatest possible freedom.

Thus we have at last reached the conclusion in quest of which we set out. Supplementing the previous formula, in which organic and social life were seen to agree, by our present formula, in which they are seen to differ, we obtain the fundamental law to which social changes conform. The result, it will be seen, is the reverse of that reached by Comte, whose ultimate state of society is one in which individual liberty no more exists than it does in the cells of a vertebrate animal. Nor does it interpret progress as the necessary consequence of an inherent tendency, but it recognizes it as determined by complex conditions, which must all be fulfilled before it can be realized. And lastly, by practically showing that historic phenomena can be reduced to orderly sequence, it confirms the result which I have sought elsewhere (*Fortnightly Review*, September, 1868) to demonstrate independently, that social changes, as well as physical changes, are within the sphere of immutable law, concerning which Hooker has said, with no less truth than sublimity, that "her seat is the bosom of God, and her voice the harmony of the world."

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